



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/049,970	Tonio Takeuchi	205,511

INTERNATIONAL APPLICATION NO.

PCT/JP00/05415

I.A. FILING DATE	PRIORITY DATE
06/28/2000	08/12/1999

Thomas E Spath
Abelman Frayne & Schwab
150 East 42nd Street
New York, NY 10017-5612DUE BY SP 6/24/02DOCKETED ON 5/2/02

DOCKETED WITHOUT FILE _____

Date Mailed: 04/24/2002

ATTORNEY TES**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPÉ Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 r 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 305-3659

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/049,970	PCT/JP00/05415	205,511

95-13123 Rec'd PCT/PTO 09 MAY 2002

#4

ABELMAN, FRAYNE & SCHWAB

Attorneys at Law

150 East 42nd Street
New York, NY 10017-5612

Telephone: (212) 949-9022
Facsimile: (212) 949-9190

Cable: LAWABEL New York
Telex: 661108 and 276592
Internet: e-mail@lawabel.com

Gabriel M. Frayne
Lawrence E. Abelman
Jeffrey A. Schwab
Victor M. Tannenbaum
Peter J. Lynfield
Stewart J. Fried
Howard P. Peck
Alan J. Harnick
Caridad Piñero Scordato
Michael Aschen
Julianne Abelman
Jonathan W. Gumpert

Of Counsel:

Norman S. Beier
Alan D. Gilliland
Thomas E. Spath
Robert C. Osterberg
Joseph J. Catanzaro

Jay S. Cinamon
Julie B. Seyler
Nancy J. Mertz
Marie Anne Mastrovito
Marsha G. Ajhar
Michael I. Markowitz*
Anthony J. DiFilippi
Warren L. Zeserman**
Lance R. Griffin
Wayne J. Gu***
John A. Dalley
Anthony A. Coppola
Michael J. Schwab

Dennis A. Mason
U.S. Patent Agent

*Member PA Bar Only
**Member NJ Bar Only
***Member MD Bar Only



May 9, 2002

Commissioner for Patents
Washington, D.C. 20231

Re: USSN 10/049,970
Tonio Takeuchi
ANTIBIOTIC CAPRAZAMYCINS AND PROCESS
FOR PRODUCING THE SAME
Filing of Missing Parts
AFS: 205,511

Sir:

Attached are the following:

1. Copy of Notice To File Missing Parts
2. Executed Declaration and Power of Attorney
3. Check for \$65 for filing of missing part
4. Return Postcard

Please acknowledge safe receipt by date stamping and returning the attached postcard.

05/16/2002 LLANDGRA 00000089 10049970

01 FC:254

65.00 DP

Respectfully submitted,

Thomas E. Spath
Reg. No. 25,928

"EXPRESS MAIL" Label No.: ET537597126US

Date of Deposit: May 9, 2002

This correspondence is being
Deposited with the United States
Postal Service "Express Mail Post
Office to Addressee" service under
37 CFR § 1.10 on the date indicated
above and addressed to:

Commissioner of Patents and
Trademarks, U.S. Patent and
Trademark Office.

Washington, D.C. 20231.